

Group III, claim(s) 10, drawn to a process for producing a L-ring drum.

The inventions listed as Groups I, II and III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The common technical feature of all the groups is the composition of claim 1. This cannot be a special technical feature because it is shown in the prior art. US Patent 4,536,550 to Moriguchi et al. teaches a polyethylene composition with multimodal molecular mass distribution, with a density of from 0.950 to 0.956 g/cm³ (9:66-10:1) and MFR in the range of 1.5 to 3.5 dg/min (10:3-5) and which comprises 35 to 45% by weight (2:13-16) of a low molecular mass (2:59-60) polyethylene polymer A (2:52-56); from 34 to 44% by weight (2:13-16) of a high molecular mass (3:28-29) copolymer B made from ethylene and a first 1-olefin comonomer having from 4 to 8 carbons (2:52-58); and from 18 to 26% by weight of an ultrahigh molecular mass (3:8-10) copolymer C containing a second 1-olefin comonomer (2:52-58).

PROVISIONAL ELECTION

Applicant provisionally elects Group I, drawn to a polyethylene composition. Claims 1-5 are readable on the elected invention.

TRAVERSAL

Applicants respectfully traverse the Examiner's restriction requirement.

In particular, Applicant traverses the Examiner's contention that pending claims 1-10 lack a single inventive concept under PCT

Rule 13.1.

The Office Action states on page 2, lines 14-23,

This cannot be a special technical feature because it is shown in the prior art. US Patent 4,536,550 to Moriguchi et al. teaches a polyethylene composition with multimodal molecular mass distribution, with a density of from 0.950 to 0.956 g/cm³ (9:66-10:1) and MFR in the range of 1.5 to 3.5 dg/min (10:3-5) and which comprises 35 to 45% by weight (2:13-16) of a low molecular mass (2:59-60) polyethylene polymer A (2:52-56); from 34 to 44% by weight (2:13-16) of a high molecular mass (3:28-29) copolymer B made from ethylene and a first 1-olefin comonomer having from 4 to 8 carbons (2:52-58); and from 18 to 26% by weight of an ultrahigh molecular mass (3:8-10) copolymer C containing a second 1-olefin comonomer (2:52-58).

However, Applicant respectfully believes Moriguchi, et al. fails to disclose, teach, or suggest Applicant's currently claimed polyethylene composition, Applicant's currently claimed process for producing the currently claimed polyethylene composition, and Applicant's currently claimed process for producing an L-ring drum comprising the currently claimed polyethylene composition.

In particular, Applicant respectfully believes Moriguchi, et al. fails to disclose, teach, or suggest, at the very least, Applicant's currently claimed polyethylene composition comprising from 34 to 44% by weight of a high-molecular-mass copolymer B made from ethylene, and a first 1-olefin comonomer having from 4 to 8 carbon atoms. In fact, Moriguchi, et al. discloses a polyethylene (B) component having a molecular weight of from 50,000 to 500,000,

with the polyethylene (B) component being produced by a polymerization using a chromium compound supported type catalyst which is capable of producing a homopolymer of ethylene. See col. 2, lines 4-9, and col. 3, lines 28-56.

Accordingly, in light of the above remarks, Applicant respectfully believes not only are currently pending claims 1-10 novel and unobvious in view of Moriguchi, et al., but that currently pending claims 1-10 satisfy the single inventive concept under PCT Rule 13.1.

In view of the foregoing, Applicant respectfully requests the Examiner to reconsider and withdraw the restriction requirement and to examine all of the claims pending in this application.

If the Examiner has any questions or comments regarding this matter, the Examiner is welcomed to contact the undersigned practitioner at the below-listed number and address.

Respectfully submitted,

By: _____

Jarrod N. Raphael
Registration No. 55,566
Customer No. 34872

Date: August 27, 2007
Basell USA Inc.
912 Appleton Road
Elkton, MD 21921
Telephone No.: 410-996-1750
Fax No.: 410-996-1560

Serial No.: 10/538,894

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on

August 27, 2007

Jesse A. Ditter
Signature

Date

August 27 2007